

 Look Up Full Text

Save to EndNote online

Add to Marked List

◀ 1 of 1 ▶

## HALAL FOOD, MARKET ACCESS AND EXCEPTION TO WTO LAW: NEW ASPECTS LEARNED FROM INDONESIA - CHICKEN PRODUCTS

By: [Ahamat, H](#) (Ahamat, Haniff)<sup>[1]</sup>; [Rahman, NA](#) (Rahman, Nasarudin Abdul)<sup>[2]</sup>

ASIAN JOURNAL OF WTO &amp; INTERNATIONAL HEALTH LAW AND POLICY

Volume: 13 Issue: 2 Pages: 355-373 Special Issue: SI

Published: SEP 2018

Document Type: Article

[View Journal Impact](#)

### Abstract


Halal is the dietary law for Muslims. Complying with its rules, which are based on Islamic religious texts, is required for practicing Muslims all over the world in the context of consuming food and other consumer products. Halal measures can have an effect on trade for halal-related concerns. Halal certification is required as a condition for the importation of certain food products into some countries. These measures can be inconsistent with the World Trade Organization (hereinafter "WTO") as shown in Indonesia - Chicken Products (2017). However, the extent to which WTO Member States are given leeway in implementing their halal measures in order for the exceptions under the WTO vis-a-vis Article XX of General Agreement on Tariffs and Trade (hereinafter "GATT") to apply needs to be examined. Based on these premises, this paper seeks to discuss the legal issues in the GATT/WTO context arising from the halal measures. The measures will be conceptualised before the application of GATT/WTO rules to such measures is assessed. The interplay between Article XX of GATT and halal measures will be explored. This will be followed by an analysis of the decision of the WTO Panel in the Indonesia - Chicken Products case.

### Keywords



Author Keywords: [halal law](#); [trade liberalization](#); [WTO case law](#); [SMEs and WTO law](#); [trade and religion](#)

### Author Information

Reprint Address: Ahamat, H (reprint author)

 Natl Univ Malaysia UKM, Bangi, Malaysia.

### Addresses:

 [ 1 ] Natl Univ Malaysia UKM, Bangi, Malaysia [ 2 ] IIUM, Selangor, MalaysiaE-mail Addresses: [haniff@ukm.edu.my](mailto:haniff@ukm.edu.my); [nasarudin@iium.edu.my](mailto:nasarudin@iium.edu.my)

### Funding

Funding Agency	Grant Number
Malaysian Ministry of (Higher) Education	FRGS/1/2017/SSI10/UKM

[View funding text](#)

### Publisher

NATL TAIWAN UNIV PRESS, NO 1 SECTION 4, ROOSEVELT RD, TAIPEI, 106, TAIWAN

### Journal Information

Impact Factor: [Journal Citation Reports](#)

### Categories / Classification

Research Areas: Health Care Sciences &amp; Services; International Relations; Government &amp; Law

Web of Science Categories: Health Policy &amp; Services; International Relations; Law

[See more data fields](#)

### Citation Network

In Web of Science Core Collection

0

Times Cited

 [Create Citation Alert](#)

18

Cited References

[View Related Records](#)

### Use in Web of Science

Web of Science Usage Count

1

Last 180 Days

1

Since 2013

[Learn more](#)

This record is from:

Web of Science Core Collection  
- Social Sciences Citation Index

### Suggest a correction

If you would like to improve the quality of the data in this record, please [suggest a correction](#).

**Cited References: 18****Showing 18 of 18** [View All in Cited References page](#)*(from Web of Science Core Collection)*

- |     |   |                        |
|-----|---|------------------------|
| 1.  | <b>A Comparative Analysis of Global Halal Certification Requirements</b><br>By: Abd Latif, Ismail; Mohamed, Zainalabidin; Sharifuddin, Juwaidah; et al.<br>JOURNAL OF FOOD PRODUCTS MARKETING Volume: 20 Special Issue: SI Supplement: 1 Pages: 85-101 Published: 2014  | <b>Times Cited: 13</b> |
| 2.  | <b>The Halal Regulatory Framework in Malaysia Should Be Consolidated: A Proposal</b><br>By: Abdullah, Apnizan.<br>ISLAM AND CIVILISATIONAL RENEWAL Volume: 7 Issue: 3 Pages: 422 Published: 2016  | <b>Times Cited: 1</b>  |
| 3.  | <b>The International Law Gaze: Indonesia Import Licensing Regimes (New Zealand)</b><br>By: Alvarez-Jimenez, Alberto.<br>NEW ZEALAND LAW JOURNAL Volume: 2017 Pages: 260 Published: 2017   | <b>Times Cited: 1</b>  |
| 4.  | Title: [not available]<br>By: [Anonymous].<br>2013 National Trade Estimate Report on Foreign Trade Barriers Published: 2013<br>Publisher: OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE<br>URL: <a href="https://ustr.gov/sites/default/files/2013%20NTE%20Malaysia%20Final.pdf">https://ustr.gov/sites/default/files/2013%20NTE%20Malaysia%20Final.pdf</a>                    | <b>Times Cited: 1</b>  |
| 5.  | Title: [not available]<br>By: [Anonymous].<br>Index Score of the Leading Halal Food Markets Worldwide in 2016<br>Publisher: STATISTA<br>URL: <a href="https://www.statista.com/statistics/737175/halal-food-index-score-by-country-worldwide/">https://www.statista.com/statistics/737175/halal-food-index-score-by-country-worldwide/</a>  | <b>Times Cited: 3</b>  |
| 6.  | Title: [not available]<br>By: [Anonymous].<br>Malaysia May Overturn Rejection of NZ Halal Beef<br>Publisher: THE BEEF SITE<br>URL: <a href="http://www.thebeefsite.com/news/16593/malaysia-may-overturn-rejection-of-nz-halal-beef/">http://www.thebeefsite.com/news/16593/malaysia-may-overturn-rejection-of-nz-halal-beef/</a>  | <b>Times Cited: 1</b>  |
| 7.  | Title: [not available]<br>By: [Anonymous].<br>Ministries Agencies Measures Published: 2015<br>Publisher: MALAYSIA NATIONAL TRADE REPOSITORY<br>URL: <a href="http://mytraderepository.customs.gov.my/ms/ntm/tbtt/Documents/AFTERMinistries-Agencies_Measures-Rev.xls">http://mytraderepository.customs.gov.my/ms/ntm/tbtt/Documents/AFTERMinistries-Agencies_Measures-Rev.xls</a> | <b>Times Cited: 1</b>  |
| 8.  | <b>Halal Certification and Labelling Requirements and the TBT Regime: A Case Study of the Indonesian Halal Act 33/2014</b><br>By: Barrios, Pablo Lizarreta<br>LEGAL ISSUES OF ECONOMIC INTEGRATION Volume: 45 Issue: 3 Pages: 271-287 Published: 2018   | <b>Times Cited: 1</b>  |
| 9.  | <b>The Intersection of Islam and the WTO: Three Sharia Issues in the WTO Accession of Saudi Arabia</b><br>By: Bhala, Raj.<br>LAW CONTEXT: A SOCIO-LEGAL JOURNAL Volume: 21 Pages: 152 Published: 2003   | <b>Times Cited: 1</b>  |
| 10. | <b>Religious values informing halal meat production and the control and delivery of halal credence quality</b><br>By: Bonne, Karijn; Verbeke, Wim<br>AGRICULTURE AND HUMAN VALUES Volume: 25 Issue: 1 Pages: 35-47 Published: JAN 2008  | <b>Times Cited: 77</b> |
| 11. | <b>Comparison and Challenges in the Implementation of Halal Food Laws in Malaysia, the Netherlands and United States of America</b><br>By: Dahlan, Hadi A.; Sani, Norrakiah A.<br>MALAYSIAN JOURNAL OF LAW AND SOCIETY Volume: 21 Pages: 53 Published: 2017   | <b>Times Cited: 1</b>  |